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PTO/SB/21 (08-00)  
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|-------------------------------------------------------------------------|----------------------|---------------------|--------------|
| <b>OIP TRANSMITTAL FORM</b><br>OCT 06 2003<br>PATENT & TRADEMARK OFFICE | Application Number   | 10/067,458          |              |
|                                                                         | Filing Date          | February 4, 2002    |              |
|                                                                         | First Named Inventor | SHIMIZU             |              |
|                                                                         | Group Art Unit       | 2837                |              |
|                                                                         | Examiner Name        | M. Fletcher         |              |
| Total Number Of Pages In This Submission                                | *                    | Attorney Docket No. | 393032030600 |

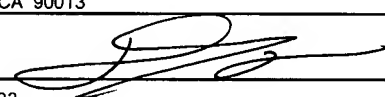
### ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                               |
| <input type="checkbox"/> Fee Attached                                           | <input type="checkbox"/> Drawing(s)                                                        | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences           |
| <input checked="" type="checkbox"/> Amendment / Reply                           | <input type="checkbox"/> Licensing-related Papers                                          | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                            | <input type="checkbox"/> Petition                                                          | <input type="checkbox"/> Proprietary Information                                              |
| <input type="checkbox"/> Affidavits/declarations                                | <input type="checkbox"/> Petition to Convert to a Provisional Application                  | <input type="checkbox"/> Status Letter                                                        |
| <input type="checkbox"/> Extension of Time Request                              | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below):                          |
| <input type="checkbox"/> Express Abandonment Request                            | <input type="checkbox"/> Terminal Disclaimer                                               |                                                                                               |
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| <input type="checkbox"/> Certified Copy of Priority Document(s)                 | <input type="checkbox"/> CD, Number of CD(s) _____                                         |                                                                                               |
| <input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application   |                                                                                            |                                                                                               |
| <input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 |                                                                                            |                                                                                               |

Remarks

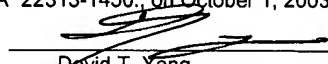
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### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

|                         |                                                                                                        |
|-------------------------|--------------------------------------------------------------------------------------------------------|
| Firm or Individual Name | David T. Yang<br>Morrison & Foerster LLP<br>555 West Fifth Street, Suite 3500<br>Los Angeles, CA 90013 |
| Signature               |                     |
| Date                    | October 1, 2003                                                                                        |

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David T. Yang

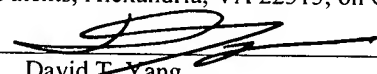
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Docket No.: 393032030600  
(PATENT)

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David T. Yang

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

SHIMIZU et al.

Application No.: 10/067,458

Group Art Unit: 2837

Filed: February 4, 2002

Examiner: M. Fletcher

For: WAVEFORM GENERATING METHOD,  
PERFORMANCE DATA PROCESSING  
METHOD, WAVEFORM SELECTION  
APPARATUS, WAVEFORM DATA  
RECORDING APPARATUS, AND  
WAVEFORM DATA RECORDING AND  
REPRODUCING APPARATUS

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**AMENDMENT**

**Box Non-Fee Amendment**

Commissioner for Patent

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the non-final Office Action dated July 2, 2003, for which a response is due on October 2, 2003. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims in light of the remarks presented herein is respectfully requested.

Please amend the above-identified application as follows: